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EXAMINER

HUNT, ERIC T

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 06/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.	PARTOVI ET AL.	
09/431,002	Examiner	Art Unit
	Eric T. Hunt	2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 11/01/1999.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-25 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-25 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4,5,7.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: *IDS PTO-1449 # 11,12*.

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: Application No. is missing in the Related Applications section, it is written as #,###,###. Appropriate correction is required.

### *Claim Objections*

2. Claim 25 is objected to because of the following informalities: The last line of the claim reads "streaming to the telephone". For examination purposes the claim is interpreted to read "streaming content to the telephone". Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7, 9-10, 13-17, 19, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,884,262 to Wise and further in view of U.S. Patent No. 6,396,907 to Didcock.

5. Regarding claim 1, Wise teaches the invention substantially as claimed. Wise teaches a method of providing content from the Internet to a telephone using a computer system [column 1, lines 66-67 & column 2, lines 1-2], the computer system [figure 1, 100 & column 5, lines 35-37] including a telephone interface system [figure 1, telephony board 111 & column 5, lines 41-42] coupled in communications with an Internet access system [figure 1, computer

**network 15]** the telephone interface system being coupled in communications with the telephone [figure 1, standard telephone 10], the method comprising:

receiving an Internet access request [users request column 2, lines 5-8], the Internet access request corresponding to an Internet site outside of the computer system [World Wide Web, column 2, lines 10-11];

receiving the content from the Internet site, the content including an audio portion [column 2, lines 13-16] ;and

sending at least the audio portion of the content over the telephone interface system to send an audio signal, corresponding to the audio portion, to the telephone [column 2, lines 13-16].

Wise does not explicitly teach streaming content. However, Didcock discloses streaming as a well-known technique for delivering pace-content information across a network [Didcock column 1, lines 27-29]. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wise with the streaming content of Didcock because it permits access to the internet by people with special needs i.e. the visually impaired.

6. Regarding claim 2, Wise and Didcock teach the invention substantially as claimed as noted above. Wise further teaches wherein receiving the Internet access request comprises receiving a verbal request [Wise column 2, lines 5-7] to access the Internet site and performing voice recognition [Wise column 2, lines 7-8 & line 50] on the verbal request to determine the Internet access request.

7. Regarding claim 3, Wise and Didcock teach the invention substantially as claimed as noted above. Wise further teaches receiving the Internet access request comprises:

receiving a series of one or more touch tone signals [**Wise DTMF column 2, lines 5-7**] and decoding the series of one or more touch tone signals [**Wise column 2, lines 7-8**] to determine the Internet access request.

8. Regarding claim 4 Wise and Didcock teach the invention substantially as claimed as noted above. Wise and Didcock further teach providing a menu corresponding to accessible Internet sites, and wherein the receiving the Internet access request corresponds to receiving a selection from the menu [**Wise column 2, lines 25-26**].

9. Regarding claim 5, Wise and Didcock teach the invention substantially as claimed as noted above. Wise and Didcock further teach determining the type of streaming content and converting the corresponding type of streaming content into an audio portion [**Wise column 2, lines 11-15**].

10. Regarding claim 6, Wise and Didcock teach the invention substantially as claimed as noted above. Wise and Didcock further teach wherein the Internet access system includes a web server, wherein the web server connects to the Internet site to receive the streaming content [**Wise column 8, lines 44-45**].

11. Regarding claim 7, Wise and Didcock teach the invention substantially as claimed as noted above. Wise further teaches wherein the streaming content is received as packet data [**Wise column 9, lines 47-50**] from a packet switched network and wherein the telephone interface system communicates the audio signal [**Wise column 9, lines 47-50**; Wise discloses a

**standard analog telephone which inherently communicates over the PSTN] to the Public Switched Telephone Network.**

12. Regarding claim 9, Wise and Didcock teach the invention substantially as claimed as noted above. Wise further teaches computer system includes personalized content information [Wise column 3, lines 10-13] and wherein the Internet access request is generated [Wise column 3, lines 15-16] from the personalized content information.

13. Regarding claim 10, Wise and Didcock teach the invention substantially as claimed as noted above. Didcock further teaches wherein the computer system further comprises a local streaming content system [Didcock figure 2, stream management unit 222], the local streaming content system including a second streaming content [Didcock column 2, lines 40-43], the second streaming content including at least a second audio portion [Didcock data blocks column 2, lines 43-46 & lines 58-59], and wherein the method further comprises accessing the local streaming content system to provide a second audio signal corresponding to the second audio portion to the telephone [Didcock column 2, lines 58-62].

14. Regarding claim 13, Wise and Didcock teach the invention substantially as claimed as noted above. Didcock further teaches an audio repository [Didcock LTSR column 2, lines 37-39] and wherein the method further comprises accessing the audio content from the repository to provide to the telephone [Didcock column 2, lines 61-62].

15. Regarding claim 14, Wise and Didcock teach the invention substantially as claimed as noted above. Didcock further teaches receiving a command [Didcock column 5, lines 65-67], the command corresponding to a request by the telephone user to adjust the sending of the audio

portion [Didcock pause command column 6, lines 1-2], and adjusting the sending of the audio portion [Didcock column 10, lines 6-8].

16. Regarding claim 15, Wise and Didcock teach the invention substantially as claimed as noted above. Wise and Didcock further teach command corresponds to a pause command [Didcock column 6, line 2], and wherein the sending the audio portion is paused and wherein a pause command is sent out to the Internet site [Wise column 2, lines 25-26].

17. Regarding claim 16, Wise and Didcock teach the invention substantially as claimed as noted above. Wise and Didcock further teach the command corresponds to a pause command [Didcock column 6, line 2], and wherein the sending the audio portion is paused and wherein at least the audio portion of the streaming content is cached during the pause [Didcock column 10, lines 5-8 & column 2, lines 38-40].

18. Regarding claim 17, Wise and Didcock teach the invention substantially as claimed as noted above. Wise and Didcock teach a computer system to deliver streaming content [Didcock column 1, lines 27-29] from the Internet to a telephone, the computer system comprising:

an Internet interface including at least one program [parser Wise column 6, line 40] to receive the streaming content from the Internet and extract a streaming audio signal from the streaming content [Wise column 5, lines 66-67];

a telephone interface to send an audio signal to the telephone, the audio signal corresponding to the streaming audio signal [Wise column 6, lines 1-2 & 7-8]; and a control subsystem to control the Internet interface and the telephone interface [Wise column 5, lines 33-35].

Art Unit: 2152

19. Regarding claim 24, Wise and Didcock teach the invention substantially as claimed as noted above. Wise teaches the telephone interface subsystem includes a call manager [**Wise figure 2, call manager 210**], the call manager supporting multiple simultaneous telephone calls over the telephone interface, at least one of the telephone calls receiving the streaming audio signal. Wise does not explicitly teach multiple simultaneous telephone calls. However, Didcock teaches simultaneous audio streams [**column 5, line 24**] and the Examiner takes OFFICIAL NOTICE that a change in the number of calls is a design consideration within skill in the art.

20. Claim 25 contains similar limitations to claim 1; therefore claim 25 is rejected under the same rationale.

21. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wise and Didcock as applied to claim 1 above, and further in view of U.S. Patent No. 6,097,793 to Jandel.

22. Regarding claim 8, Wise and Didcock teach the invention substantially as claimed as noted above. Neither Wise nor Didcock teach wherein the Internet access request is translated into a URI. However, Wise teaches a URL relating to a verbal phrase [**Wise column 6, lines 46-49**]. In art related to telephony and data transfer, Jandel teaches URI as an alternative to the address URL [**Jandel column 2, lines 63-65**]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wise, Didcock with the URI of Jandel because one is an alternative to the other.

23. Claims 11, 12, 18-20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wise and Didcock as applied to claim 10 above, and further in view of U.S. Patent No. 6,115,747 to Billings et al.

Art Unit: 2152

24. Regarding claim 11, Wise and Didcock teach the invention substantially as claimed as noted above. Wise and Didcock do not teach mixing the audio portion with the second audio portion and wherein the audio signal corresponds to the mix. However, in art related to combining data streams, Billings teaches data packets are merged to form a combined stream [Billings column 4, lines 26-28]. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wise and Didcock with the combined stream of Billings because it allows content delivery to be optimized for a user's particular retrieval needs.

25. Regarding claim 12, Wise and Didcock and Billings teach the invention substantially as claimed as noted above. Didcock and Billings further teach an audio repository [Didcock LTSR column 2, lines 37-39], wherein the method further comprises accessing the audio content from the repository to provide to the telephone [Didcock column 2, lines 61-62], and mixing the audio portion with the second audio portion and the audio content [Billings column 4, lines 26-28].

26. Regarding claim 18, Wise and Didcock and Billings teach the invention substantially as claimed as noted above. Didcock and Billings further teach an audio repository [Didcock LTSR column 2, lines 37-39] storing audio storing sounds, and the computer system includes a second program [Billings merging processor column 9, lines 29-31] to cause at least some sounds to be mixed with the streaming audio signal [Billings column 4, lines 26-28].

27. Claims 19 and 20 contain similar limitation as claim 18; therefore are rejected under the same rationale.

28. Regarding claim 23, Wise and Didcock and Billings teach the invention substantially as claimed as noted above. Wise further teaches wherein at least one sound is a system prompt [Wise column 9, lines 7-8].

29. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wise and Didcock, and Billings as applied to claim 18 above, and further in view of U.S. Patent No. 5,937,037 to Kamel.

30. Regarding claim 21, Wise and Didcock and Billings teach the invention substantially as claimed as noted above. Wise and Didcock and Billings do not teach wherein at least one sound is an advertisement. However in art related to telephony and data transmission, Kamel teaches delivering promotional messages to telephone subscribers via telephone networks [Kamel column 1, lines 9-11 & lines 59-60]. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wise, Didcock, and Billings with the promotional messages of Kamel because it provides individual-focused advertising to internet subscribers with special needs i.e. the visually impaired.

31. Regarding claim 22, Wise, Didcock, Billings and Kamel teach the invention substantially as claimed as noted above. Kamel further teaches personal preference information and wherein the advertisement is chosen based at least partially upon the personal preference information [Kamel column 1, lines 9-11].

***Conclusion***

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric T. Hunt whose telephone number is 703-305-4868. The examiner can normally be reached on 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

E.H.  
May 29, 2002

A handwritten signature in black ink, appearing to read "LE Hien LUU". The signature is fluid and cursive, with a prominent vertical stroke in the middle.

LE Hien LUU  
PRIMARY EXAMINER